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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROOSEVELT KAIRY, ET AL.,

Plaintiffs,

No. C 08-02993 JSW

v.

SUPERSHUTTLE INTERNATIONAL, INC.,
ET AL.,

Defendants.

**ORDER REQUIRING
ADDITIONAL BRIEFING AND
VACATING HEARING**

In light of the arguments raised in the parties' papers on the pending motions to compel arbitration, the Court finds that further briefing is appropriate. Therefore, the Court HEREBY VACATES the hearing on all pending motions currently scheduled for July 27, 2012 and ORDERS Defendants to file a supplemental brief not to exceed 10 pages by no later than July 31, 2012 addressing the following questions:

- (1) Why would moving for arbitration prior to the issuance of *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (2011), have been futile?
- (2) What law – Delaware or California – would have applied to the determination of unconscionability? Defendants merely drop a conclusory footnote (Reply at 2 n.4) without analysis.

Plaintiffs may file a response not to exceed 10 by no later than August 3, 2012. After the supplemental briefing is received, the Court will either reschedule a hearing on the pending motions if it appears necessary or will decide the motions as submitted.

IT IS SO ORDERED.

Dated: July 25, 2012



 JEFFREY S. WHITE
 UNITED STATES DISTRICT JUDGE